IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 20029 of 2004

Between:

Sri Saradha High School,
Giddalur, Prakasam District, rep., by its Correspondent Sri C.Thirupathaiah.

... PETITIONER

AND

1 The Director of School Education, Andhra Pradesh, Hyderabad.
2 The District Educational Officer, Prakasam District, Ongole.
3 The Deputy Educational Officer, Markapur, Prakasam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a writ of mandamus declaring the action of the respondents 1 and 2 herein in not passing appropriate orders, granting permission for selection and appointment of eligible teaching and non teaching staff for Sri Sarada High School, Giddalur, Prakasam District inspite of the letter of the 3rd respondent dt.11-12-2001 as highly illegal, arbitrary and violative of Principles of natural justice.

Counsel for the Petitioner: MRS.S.NANDA

Counsel for the Respondents 1 to 3: GP FOR EDUCATION

The Court, at the admission stage, made the following:

ORDER:

Heard the learned counsel for petitioner and also the learned Government Pleader appearing on behalf of the respondents. Both the counsel agreed for disposing the writ petition at the stage of admission in the light of G.O.Ms.No.75, School Education
(PS-2) Department dated 23-09-2002.

2. The present writ petition has been filed complaining inaction on the part of the respondents in passing appropriate orders in granting permission for selection and appointment of teaching and non-teaching staff (un-aided) inspite of the letter addressed by the Deputy Educational Officer to the District Educational Officer dated 11-12-2001.

3. Learned Government Pleader produced a copy of G.O.Ms.No.75 dated 23-09-2002 wherein it is made clear that there shall not be any approval by the department for recruitment to un-aided post and hence no question of any absorption in future. The management may fill up un-aided posts if they require as per the staffing pattern and teacher pupil ratio with their own funds.

4. In view of the same, it is for the petitioner to recruit the staff in the light of the aforementioned G.O.

The writ petition is accordingly disposed of. No costs.

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A. **GOPAL REDDY, J**

November 2, 2004

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1 The Director of School Education, Andhra Pradesh, Hyderabad.
2 The District Educational Officer, Prakasam District, Ongole.
3 The Deputy Educational Officer, Markapur, Prakasam District.

4 Two C.C. s to the G.P. for Education, High Court Buildings, Hyderabad

(OUT).

5 Two C.D. Copies.